APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,834	11/06/2001	Ying Chen	JP920000293US1	6017

7590   10/20/2004

Douglas W. Cameron
Intellectual Property Law Dept.
IBM Corporation
P.O. Box 218
Yorktown Heights, NY 10598

EXAMINER
BECKER, SHAWN M

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-23_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-23_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Specification

1.   Applicant is reminded of the proper language and format for an abstract of the disclosure.

        The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

        The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

        The abstract contains several instances of the term means, and appropriate correction is required.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-6, 9-16, 18-20, and 22 are rejected under 35 U.S.C. 103(a) as being

unpatentable over U.S. Patent No. 5,600,781 to Root et al. (hereinafter Root) and U.S. Patent No.

6,023,714 to Hill et al. (hereinafter Hill).

        Referring to claims 1, 9, and 22, Root discloses a system, program storage device, and

method for providing information on a server for a user device, said method comprising the steps

of inputting a user input command through said user device (i.e. a handwritten symbol; col. 3,

lines 49-53); transmitting said user input command to a command processing means (i.e.

personal profile database containing known gestures); interpreting and transmitting said user

input command (i.e. determining the appropriate input command within the program); and

providing information for the user device on the basis of the transmitted user input command.

See col. 6, lines 1-14. Also, see col. 1, lines 38-48.

Root states that any pen based program that is compatible with the personality profile

database can use the personalized gestures (col. 6, lines 9-14), but Root does not explicitly

disclose that the program for which the commands are input and which the information pertains

is for service information from a server. However, Hill discloses a method of controlling service

information from a server by providing documents through a browser which may be controlled

by any type of input device (Hill at col. 5, lines 4-12). See Hill at col. 1, lines 48-61. It would

have been obvious to one of ordinary skill in the art to use the handwritten symbol input method

of Root to control the browser (program) of Hill in order to obtain an efficient and familiar input

method for browsing Internet content.

Referring to claims 2 and 10, Root teaches an interpreter means of said command

processing means reads user data stored in a database (i.e. personality profile database; col. 4,

lines 51-53) and interprets said user input command inputted by said user device. See col. 5,

lines 36-42 and col. 6, lines 1-14.

Referring to claims 3 and 11, the method of Root further comprises the steps of:

transmitting said user input command to a temporary storage unit of said command

processing means;

and comparing said user input command stored in said temporary storage unit with the user data stored in the database (personality profile) to interpret said user input command inputted by said user device.   See col. 5, line 36 – col. 6, line 14.

Referring to claims 4-5 and 12-15, Root teaches that the method further comprises the step of modifying said user data stored in said database (by the user device; i.e. col. 3, lines 60-64), but Root does not explicitly show that the user data is updated by the server. However, Hill describes that a server may interrogate a display device and update user data. See Hill at col. 2, lines 36-39 and col. 11, lines 24-59. It would have been obvious to one of ordinary skill in the art to have the server of Root and Hill update user data as described in Hill as an alternative to the strictly client-controlled embodiment as mentioned by Hill and to have the higher powered server control the processing.

Referring to claims 6 and 16, the user data of the database of Root and Hill, *supra*, comprises user identifier (Root at col. 3, lines 62-65), type of user device (Hill at col. 11, lines 35-40), and service mapping parameters (i.e. Root at col. 5, line 40).

Referring to claim 18, the user device of Root and Hill, *supra*, comprises a QWERTY (standard) keyboard. See Root at Fig. 1, 140 and Hill at col. 5, line 5.

Referring to claims 19-20, the device of Root and Hill, *supra*, is a device with a limited input capability (i.e. PDA; Hill at col. 1, lines 35-39).

4.   Claims 7-8, 17, 21, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Root, Hill, and U.S. Patent No. 6,615,131 to Rennard et al. (hereinafter Rennard).

Referring to claims 7 and 17, Root and Hill do not explicitly teach that the server provides a map information to said user device on the basis of said user input command transmitted to said server. However, Rennard teaches a small screen device (similar to those of Root and Hill) that receives map information from a server based on user input commands. See Rennard at col. 3, lines 1-51. It would have been obvious to one of ordinary skill in the art to provide map information to the user device based on the user input commands of Root and Hill as shown by Rennard in order to provide a navigational system in a personal handheld device as taught by Rennard (col. 1, lines 21-26).

Referring to claims 8, 21, and 23, Root and Hill do not explicitly teach that the input command is generated by pressing buttons on a keypad of a phone. However, Rennard teaches a method of maintaining a user account (i.e. col. 3, lines 48-51), which is similar to the personality profile of Root, and serving information to a handheld device, such as a phone, based on user input commands that are generated by pressing buttons on a keypad of a phone. See Rennard at col. 1, lines 33-35 and col. 3, lines 52-63. It would have been obvious to one of ordinary skill in the art to modify the input method of Root and Hill such that input commands are generated by pressing buttons on a keypad of a phone as shown in Rennard in order to utilize the capabilities of the device as supported by both Rennard and Hill.

Conclusion

5.   The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach methods of keeping personal profiles and inputting commands to a small screen wireless device.
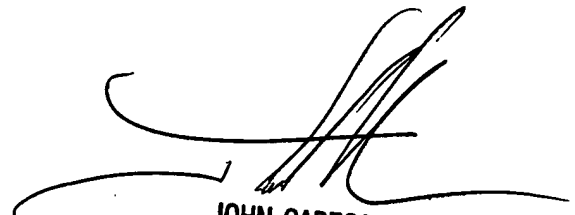
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawn M. Becker whose telephone number is (703) 305-7756. The examiner can normally be reached on M-F 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smb

JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100